

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/623,554 Confirmation No. 5280
Applicant : Anderskouv, et al. Patent No.: 8,098,091
Filed : June 15, 2001
TC/A.U : 2817
Examiner : Henry Choe
Docket No. : TI-31636
Customer No. : 23494
Title : METHOD IN THE COMPENSATION OF UNLINEARITIES
IN AN AMPLIFIER, AND USES OF THE METHOD AND
THE AMPLIFIER

REQUEST FOR RECONSIDERATION OF DECISION
TO DISMISS APPLICANT'S REQUEST FOR
RECONSIDERATION OF PATENT TERM ADJUSTMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request reconsideration of the Office's dismissal of their Petition for Reconsideration of Patent Term Adjustment that was submitted on September 16, 2011 and dismissed as premature on December 15, 2011. The patent has now issued.

The Notice of Allowance indicated a patent term extension under 35 U.S.C. 154(b) for applications filed after June 7, 1995 but prior to May 29, 2000 as 0 days. Applicants believe that this is in error because the application was a U.S. National Stage application of PCT/DK99/00102 and had a 35 USC section 371 date of June 15, 2001. In addition, the actual U.S. filing date is September 5, 2000. Both dates are after the May 29, 2000 effective date for Patent Term

Adjustment. Therefore, this application should have been considered for a Patent Term Adjustment under 35 U.S.C. 154(b) for applications filed after May 29, 2000.

The Petitions Examiner suggested Applicants file a request for reconsideration of the patent term pursuant to 37 CFR 1.705(d).

This patent will not be subject to a terminal disclaimer.

The allowance of this application has taken more than 10 years, and the delay was not attributable to Applicants' actions or failure to act as detailed in 37 CFR 1.704.

Accordingly, Applicants request that the determination of Patent Term Adjustment be recalculated under 37 CFR 1.702(b), using the correct date when national stage processing began. Applicants have calculated that the proper Patent Term Adjustment, taken from 3 years after the 35 U.S.C. section 371 date until the issue date, is 2772 days, and requests a Patent Term Adjustment in that amount.

The Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account 20-0668 of Texas Instruments Incorporated.

Date: February 1, 2012

Respectfully submitted,

/William B. Kempler/

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